

Administrative Policy and Procedure Manual Kansas Department of Health and Environment Bureau of Child Care and Health Facilities Policy: Exception to the requirement for an original medical consent form for children in foster care	Program CCLR – CPA & Residential Programs Section 2009 - 001 Applies to Family Foster Homes Effective Date: May 7, 2009
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EXCEPTION TO THE REQUIREMENT FOR AN ORIGINAL MEDICAL CONSENT FORM FOR CHILDREN IN FOSTER CARE

I. POLICY

K.A.R. 28-4-808(e)(5) requires each licensee to maintain a file for each child in foster care which contains medical and surgical consent forms. K.A.R. 28-4-814(g)(1)(F) refers to each "original" medical consent. The purpose of the requirement is to ensure timely treatment of children in foster care in emergency situations. When the following condition is met, an exception is granted to the requirement for an original medical consent:

Each licensee shall maintain a file for each child in foster care which contains a medical consent form that meets the requirements of the hospital or medical clinic where emergency care will be given.

II. PROCEDURES

This exception is effective as of the date stated above and remains in effect unless the Department determines the exception is no longer in the best interest of children in foster care.

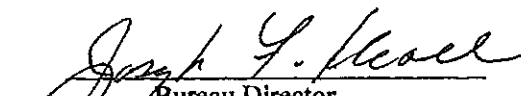
III. PURPOSE

The purpose of this exception is to address concerns brought to the Department's attention following the implementation of the Regulations for Licensing Family Foster Homes in Kansas on March 28, 2008, and the Department's response to a Frequently Asked Question (FAQ). The FAQ response clarified the intent of K.A.R. 28-4-808(e)(5) was to require each licensee to maintain a file with the original medical consent form for each child in foster care. The Department received feedback from Child Placing Agencies that the regulation does not reflect current practice. Additional feedback indicated that across the state, access to emergency treatment for children in foster care is not dependent upon the original medical consent in many hospitals and medical clinics, which will now accept various forms of the medical consent, including copies, faxed copies, and/or electronic copies. Until such time as the regulation can be revised, the Department provides this exception to ensure the requirements of the regulation are consistent with the intended purpose.

IV. AUTHORITY

The Kansas Department of Health and Environment has the authority to interpret the regulations for family foster homes.


Program Director


Bureau Director